



08-14-02

1765 \$

PATENT

Attorney Docket No. MTI-31046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald L. Yates
Serial No. : 09/652,991
Filing Date : August 31, 2000
Examiner : TRAN, Binh X.
Group Art Unit: 1765
Confirmation No.: 4383

For : Compositions For Dissolution of Low-K Dielectric Films and Methods of Use

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

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■ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.8(a)

37 CFR 1.10

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Transmission

☐ transmitted by facsimile to Fax No _____ addressed to Examiner _____ at the Patent and Trademark Office.

Date: August 13, 2002

JMR-Hall

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Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is: Response to restriction and preliminary amendment and replacement claims

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- a. [] Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

08/13/2002 DANIE1 08007016 09652991

1765
08/13/2002

396.20 DP
1765.10 DP

	<u>Total months Requested</u>	<u>Fee for other than Small Entity</u>	<u>Fee for Small Entity</u>
[]	one month	\$110.00	\$ 55.00
	two months	\$400.00	\$195.00
[]	three months	\$890.00	\$445.00
	four months	\$1,390.00	\$695.00

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

- a. [] An extension for __ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

OR

- b. [X] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

Extension fee due with this request \$ 0.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

Claims						
Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee or	Rate	Addit. Fee
Total 96	Minus 74 =	22	x9= \$		x18=	\$ 396.00
Indep. 35	Minus 14 =	21	x42= \$		x84=	\$1764.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140=\$	+280=	\$0
				TOTAL ADDIT. FEE \$	or TOTAL ADDIT. FEE	\$2,160.00

- c. [] No additional fee for claims is required.

OR

- d. [X] Total additional fee for claims required \$2,160.00.

FEE PAYMENT

5. Attached is a check in the sum of \$2,160.00.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 23-2053.
If any additional fee for claims is required, charge Account No. 23-2053.

Reg. No. 34259
Tel. No.: (414) 273-2100

Date: August 13, 2002
Customer No.: 31870 1

Kristine M. Strodthoff
Kristine M. Strodthoff
Whyte Hirschboeck Dudek S.C.
111 East Wisconsin Avenue, Suite 2100
Milwaukee, WI 53202

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RESPONSE TO RESTRICTION AND PRELIMINARY AMENDMENT

Sir:

Restriction Requirement

In response to the Examiner's requirement for an election species, mailed July 16, 2002, in the above-identified patent application, Applicant elects Species 1: at least hydrofluoric acid and one or more organic acid in a ratio of about 2:1(v/v).

Applicant submits that the following claims are readable on Species 1: Claims 12, 13, 20, 21, 26-28, 79, 111-126, 131-133, and new Claims 142-158.

It is further submitted that the following claims are generic: Claims 20-21, 111, 114-118, 120, 131, 133, 146, 147, 149-152, 155-156 and 158.

Such claims are generic to at least Species 1 and 3, which relate to a method of treating a surface with an aqueous solution comprising a fluorine compound(s) and organic acid(s) in a ratio of about 2:1 (v/v) to remove at least dielectric material.

It further appears from paragraphs 6-12 that the Examiner requires an election of a single species of each of the recited inorganic fluorine-comprising compounds, the recited organic acids, the recited organic fluorine-comprising compounds and the recited inorganic acids, on the basis that each of the compounds and acids are patentably distinct species.

In response to the Examiner's assumed requirement of an election of a single inorganic fluorine-comprising compound and organic acid, Applicant hereby elects hydrofluoric acid and citric acid. In response to the Examiner's assumed requirement of an election of a single organic fluorine-comprising compound and inorganic acid, Applicant hereby elects hydrogen fluoride pyridinium and sulfuric acid.

Applicant notes that the election of species is solely for the purpose of prosecution on the merits, and that Applicant will be entitled to consideration of claims to additional species upon allowance of a generic claim. It is understood that if the elected Species 1 are found allowable over the prior art, the Examiner will expand the search to include other species. It is also understood that if the elected species of fluorine compounds and acids are found allowable over the prior art, the Examiner will also expand the search to include other species of fluorine compounds and acids.

Prior to any such expansion of the search to include other species, the Examiner is requested to contact the undersigned Attorney for Applicant to discuss an election of the additional species to be searched.

Preliminary Amendment

Prior to substantive examination, Applicant requests that the following amendments be made to the above-referenced application.

IN THE CLAIMS

Please amend the claims as shown in the attached replacement sheets submitted under 37 C.F.R. § 1.12(c). A blackline version is enclosed to illustrate the amendments to the claims.